

Exhibit 6

Claim Terms for Construction

Claim Term to be Construed	Huntair's Construction	ClimateCraft's Construction
fan array (appears in all claims)	multiple fan units arranged in a grid, a spaced pattern, a checkerboard, rows slightly offset, columns slightly offset, or a staggered array configuration	three or more fan units positioned to work together in parallel
control	no construction given	receiving input information, determining output information necessary to achieve a desired objective, and producing the required output information to achieve the desired objective
efficiency	the ratio of power delivered by the fans to the electrical power consumed by the fans	static efficiency, given by the ratio of the static work done by the fans (multiplying flowrate, in CFM, by pressure rise across the fans, in inches of water, by a constant), to the energy consumed by the fans
peak efficiency	no construction given	the maximum achievable static efficiency for a fan unit
substantially peak efficiency	nearly peak efficiency	indefinite pursuant to 35 U.S.C. § 112 ¶ 2; no intrinsic or extrinsic evidence supports any given, particular definition; PHOSITA cannot tell how "near" is near enough to know whether infringement is made out
array controller	no separate construction given	an automated system to control a fan array which receives input information, determines the output information to achieve a desired objective, and produces the required output information to achieve the desired objective
control system	no construction given	an automated system which receives input information, determines the output information necessary to achieve a desired objective, and produces the required output information to achieve the desired objective

<p>an array controller for controlling said at least six fan units to run at substantially peak efficiency by strategically turning selective ones of said at least six fan units on and off</p>	<p>an automatic system that operates the at least six fan units at nearly peak efficiency by strategically turning on and off selective ones of the fan units</p>	<p>the claim language is functional; no specific structure or family of structures is understood by PHOSITA to meet this requirement, therefore this is construed as a means-plus-function element pursuant to 35 U.S.C. § 112 ¶ 6;</p> <p>however, because no structure is described in the specification that performs the claimed function of “controlling .. to run at substantially peak efficiency,” the claim element is indefinite pursuant to 35 U.S.C. § 112 ¶ 2</p> <p>if a jury instruction were given, it should be: for use with at least six fan units, an array controller that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to turn on and off, and when, to achieve substantially peak efficiency of the fan units, and (c) produces that output information (i.e. send a signal to turn individual fans on and off) so that the fan units run at substantially peak efficiency</p>
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<p>an array controller for controlling said plurality of fan units to run at substantially peak efficiency by strategically turning selective ones of said plurality of fan units on and off</p>	<p>No construction given</p>	<p>the claim language is functional; no specific structure or family of structures is understood by PHOSITA to meet this requirement, therefore this is construed as a means-plus-function element pursuant to 35 U.S.C. § 112 ¶ 6;</p> <p>however, because no structure is described in the specification that performs the claimed function of “controlling .. to run at substantially peak efficiency,” the claim element is indefinite pursuant to 35 U.S.C. § 112 ¶ 2</p> <p>if a jury instruction were given, it should be: for use with a plurality of fan units, an array controller that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to turn on and off, and when, to achieve substantially peak efficiency of the fan units, and (c) produces that output information (i.e. sends a signal to turn individual fans on and off) so that the fan units run at substantially peak efficiency</p>
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<p>a control system for operating said plurality of fan units at substantially peak efficiency by strategically turning on and off selective ones of said plurality of fan units</p>	<p>operating the fan units at nearly peak efficiency by strategically turning on and off selective ones of the fan units by using a manual or automatic control</p>	<p>the claim language is functional; no specific structure or family of structures is understood by PHOSITA to meet this requirement, therefore this is construed as a means-plus-function element pursuant to 35 U.S.C. § 112 ¶ 6;</p> <p>however, because no structure is described in the specification that performs the claimed function of “controlling .. to run at substantially peak efficiency,” the claim element is indefinite pursuant to 35 U.S.C. § 112 ¶ 2</p> <p>if a jury instruction were given, it should be: a control system that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to turn on and off, and when, to achieve substantially peak efficiency of the fan units, and (c) produces that output information (i.e. sends a signal to turn individual fans on and off) so that the fan units run at substantially peak efficiency</p>
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<p>a control system for controlling said plurality of fan units, said control system allowing control of the speed of the fan units in said plurality of fan units such that they run at substantially peak efficiency</p>	<p>operating the fan units at speeds achieving nearly peak efficiency by using a manual or automatic control</p>	<p>the claim language is functional; no specific structure or family of structures is understood by PHOSITA to meet this requirement, therefore this is construed as a means-plus-function element pursuant to 35 U.S.C. § 112 ¶ 6;</p> <p>however, because no structure is described in the specification that performs the claimed function of “controlling .. to run at substantially peak efficiency,” the claim element is indefinite pursuant to 35 U.S.C. § 112 ¶ 2</p> <p>if a jury instruction were given, it should be: a control system that makes possible control of the fan units by (a) receiving input information regarding the system air flow requirements, (b) determining the output information necessary, i.e. which fans to speed or slow relative to the others, and when, to achieve substantially peak efficiency of the fan units, and (c) producing that output information (i.e. sends a signal to speed or slow individual fans) so that the fan units run at substantially peak efficiency</p>
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<p>a control system for controlling the speed of the fan units in said plurality of fan units such that they run at substantially peak efficiency</p>	<p>No construction given</p>	<p>the claim language is functional; no specific structure or family of structures is understood by PHOSITA to meet this requirement, therefore this is construed as a means-plus-function element pursuant to 35 U.S.C. § 112 ¶ 6;</p> <p>however, because no structure is described in the specification that performs the claimed function of “controlling .. to run at substantially peak efficiency,” the claim element is indefinite pursuant to 35 U.S.C. § 112 ¶ 2</p> <p>if a jury instruction were given, it should be: a control system that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to speed or slow relative to the others, and when, to achieve substantially peak efficiency of the fan units, and (c) produces that output information (i.e. sends a signal to speed or slow individual fans) so that the fan units run at substantially peak efficiency</p>
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